

REMARKS

Claim 8 has been amended for clarification purposes and claims 33-34 and 41-42 have been canceled. New claims 43 - 45 have been added. These amendments are not intended to narrow the scope of these claims. The claims have been rewritten to place them in better form for examination and to further obviate the 35 U.S.C. §§102, 103 and 112 rejections set forth in the Office Action dated August 12, 2003. It is believed that none of these amendments constitute new matter. Withdrawal of these rejections is requested.

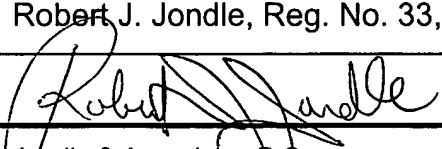
Claim 8 is objected to for informalities. Applicant has amended claim 8 as suggested by the Examiner.

Claims 33-34 and 41-42 are rejected under 35 U.S.C. §112, first paragraph as containing subject matter that was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicant has canceled claims 33-34 and 41-42 in favor of new claims 43 - 45. Withdrawal of this rejection is respectfully requested.

Claims 33-34 and 41-42 are rejected under 35 U.S.C. §112, first paragraph as containing subject matter that was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Applicant has canceled claims 33-34 and 41-42 in favor of new claims 43 - 45. Withdrawal of this rejection is respectfully requested.

Claims 8, 33-34 and 41-42 are rejected under 35 U.S.C. §112, second paragraph as being indefinite. Claim 8 is rejected as indefinite in its recitation of "the tissue is from a tissue . . . hypocotyls". Applicant has amended claim 8. Claims 33-34 and 41-42 have been canceled in favor of new claims 43 - 45. Withdrawal of this rejection is respectfully requested.

In view of the above amendments and remarks, it is submitted that the claim satisfies the provisions of 35 U.S.C. §112 and is not obvious over the prior art. Reconsideration of this application and early notice of allowance is requested.

RESPECTFULLY SUBMITTED,					
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